

FILED

UNITED STATES DISTRICT COURT

for the
Western District of TexasFEB 25 2015
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature] DEPUTYUnited States of America
v.
Marco Antonio YUDICO-Vega

Case No.

EP-15-M-539-MAT

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 02/24/2015 in the county of El Paso in the
Western District of Texas, the defendant(s) violated:

Code Section

8 U.S.C. 1324(a)(1)(A)(iii)
and (a)(1)(B)(ii)

Offense Description

knowing and in reckless disregard of the fact that an alien has come to, entered, and remained in the United States in violation of law, conceals, harbors, and shields from detection, and attempts to conceal, harbor, and shield from detection, such alien in any place, including any building and any means of transportation for the purpose of commercial advantage and private financial gain.

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.[Signature]

Complainant's signature

David G. Marroquin, U. S. Border Patrol

Printed name and title

Sworn to before me and signed in my presence.

Date: 02/25/2015[Signature]

Judge's signature

City and state: El Paso, Texas

Miguel A. Torres, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

On February 24, 2015, HSI El Paso Special Agents assigned to BEST and CBP Office of Border Patrol Disrupt Unit, were conducting surveillance at the Paso Del Norte Port of Entry (PDN) in El Paso, Texas which is located in the Western District of Texas. At approximately 1200 hours, agents observed the subject later as Marco Antonio YUDICO-Vega walking north on El Paso street after being admitted into the United States. Agents noticed Marco Antonio YUDICO-Vega was wearing a black jacket, blue jeans, red baseball cap, and carrying a blue back pack.

Agents observed Marco Antonio YUDICO-Vega walk from PDN to a convenience store along El Paso Street, where he proceeded to purchase what appeared to be soft drinks, held inside a white grocery bag. Agents then observed Marco Antonio YUDICO-Vega walk to the Los Paisanos Bus station located at 325 South Santa Fe Street in El Paso, TX. Agents witnessed Marco Antonio YUDICO-Vega enter the bus station and approach the ticket booth counter, where he made a purchase of what appeared to be a bus ticket. Afterwards, Agents observed Marco Antonio YUDICO-Vega walk towards the Tornado bus station located at 307 South Santa Fe Street in El Paso, TX. While inside the Tornado bus station, Agents observed Marco Antonio YUDICO-Vega once again approach the ticket booth counter and purchase what appeared to be a bus ticket.

After exiting the Tornado bus station, Agents observed Marco Antonio YUDICO-Vega walk to the Sun Metro Downtown Transfer Center Boarding located at 601 South Santa Fe Street. After a short period at the aforementioned location, Agents observed Marco Antonio YUDICO-Vega board a Sun Metro bus bearing route number 21. Agents followed Marco Antonio YUDICO-Vega until he exited the bus near the Stagecoach Motel located at 4110 Alameda Avenue in El Paso, Texas. This motel is notoriously known as a staging area for undocumented aliens. Agents observed Marco Antonio YUDICO-Vega enter the lobby area of the Stagecoach Motel, carrying a white groceries bag. Shortly after, Agents observed Marco Antonio YUDICO-Vega exiting the Stagecoach Motel, this time without any groceries bag on hand. Agents observed Marco Antonio YUDICO-Vega walk westbound on Alameda Street until he boarded another Sun Metro bus. Soon after, Agents boarded the Sun Metro bus, approached Marco Antonio YUDICO-Vega, and identified themselves as U.S. Border Patrol Agents. Agents proceeded to questioned Marco Antonio YUDICO-Vega as to his citizenship and he admitted to be a Legal Permanent Resident Alien. Agents then questioned Marco Antonio YUDICO-Vega about the aforementioned activity at the Stagecoach Motel. Marco Antonio YUDICO-Vega stated to the Agents that he was there to deliver food and beverages to some friends staying in room #9 at the Stagecoach Motel. When asked about his friends names Marco Antonio YUDICO-Vega could not remember any names. At this time, Agents detained Marco Antonio YUDICO-Vega in order to further the investigation.

Agents then proceeded to conduct a knock and talk on room #9 of the Stagecoach motel which subsequently revealed two undocumented aliens from Mexico. At approximately 1430 hours, Marco Antonio YUDICO-Vega and the two undocumented aliens found in the room were placed under arrest and transported to the Homeland Security Investigations (HSI) Boeing Office for further processing.

Once at the Boeing office, Marco Antonio YUDICO-Vega was read his Miranda Rights. Marco Antonio YUDICO-Vega acknowledged that he understood his rights and was willing to talk to the Agents without an attorney present.

Marco Antonio YUDICO-Vega stated the following during his interview:

Marco Antonio YUDICO-Vega stated that on today's date (02/24/2015) he crossed into El Paso, TX from Ciudad Juarez, Chihuahua to do a favor for his brother Fabian YUDICO-Vega. Marco Antonio YUDICO-Vega identified his brother's phone number as 656-306-8933. He was asked by his brother Fabian YUDICO-Vega in Ciudad Juarez, Chihuahua to purchase a bus ticket for two individuals staying at the Stagecoach Motel in room number 9. He was also instructed by his brother to drop off food to the same individuals as well as money in order to pay for another night stay at the Stagecoach Motel in El Paso, TX. Marco Antonio YUDICO-Vega admitted that he knew that the two individuals he delivered the food and the money to were in the United States illegally and that he was going to be paid approximately \$60.00 USD by his brother after returning back to Ciudad Juarez, Chihuahua. Marco Antonio YUDICO-Vega further stated that within a five year span, he has done this for his brother approximately 30 to 40 other occasions. Marco Antonio YUDICO-Vega admitted to the Agents that he knows that his brother smuggles undocumented aliens into the United States for money, but states he only assists him every now and then as the care taker once the undocumented aliens have reached a hotel/motel in El Paso, TX. Marco Antonio YUDICO-Vega stated that he was also asked by his brother to take a photo of the two individuals staying in the hotel room, claiming that the purpose for the photographs was in order to obtain fraud immigration documents for them. Marco Antonio YUDICO-Vega also stated he delivered two sheets of papers, each one containing specific valid visa biographical information (Information on sheets were written in question and answer form).

Marco Antonio YUDICO-Vega also willingly and willfully provided a written statement concerning today's event.

The subject later identified as L.D.P-O., herein referred to as MAT-WIT #1, was advised of his Miranda Rights to which he acknowledged his understanding by signing the form I-214 accordingly. MAT-WIT #1 agreed to speak to the Agents without an attorney present.

MAT-WIT #1 provided the following statement:

MAT-WIT #1 stated he and MAT-WIT#2 crossed illegally into the United States on Saturday (02/24/2015) and took a taxi cab to the Stagecoach Motel. MAT-WIT #1 stated that Marco

Antonio YUDICO-Vega took them food and money to pay for the room, beginning Sunday until today (02/24/2015). MAT-WIT #1 stated that Marco Antonio YUDICO-Vega also took a picture of them with his own cell phone and told them that he took their picture in order to obtain a passport or visa in order to further their entry into the United States. MAT-WIT #1 also stated that on today's date, he was given a sheet of paper with biographical information pertaining to Roberto ECHANIZ-Mendoza. MAT-WIT #1 was told to memorize by Marco Antonio YUDICO-Vega because the same information was going to be used when preparing the false passport or visa. MAT-WIT #1 stated he used the services of a smuggler who he knows by the name of Fabian, and provided his phone number as 656-306-8933.

MAT-WIT #1 also willfully and willingly provided a written statement.

Agents showed MAT-WIT#1 a photographic lineup of 6 male individuals and MAT-WIT #1 was able to identify Marco Antonio YUDICO-Vega's picture.

The subject later identified as A.P.-M., herein referred to as MAT-WIT #2, was advised of his Miranda Rights to which he acknowledged his understanding by signing the form I-214 accordingly. MAT-WIT #2 agreed to speak to the Agents without an attorney present.

MAT-WIT #2 stated the following during his interview:

MAT-WIT #2 stated that he arrived to Ciudad Juarez, Chihuahua last Wednesday after making arrangements to cross into the United States illegally with a smuggler he knew as Fabian. MAT-WIT #2 stayed in a stash house in Ciudad Juarez until Saturday evening, when he effectively made his illegal entry into the United States. Once in the United States, MAT-WIT #2 was instructed via-telephone by Fabian to get a taxi cab and asked to be taken to the Stagecoach Motel in El Paso, TX. Once at the Motel, MAT-WIT #1 and #2 contacted Fabian and advised him of the room number they had checked themselves into. MAT-WIT #2 stated that the subject, later identified as Marco Antonio YUDICO-Vega, would deliver food and money to pay for the hotel room every day for the past three days. MAT-WIT #2 stated that Marco Antonio YUDICO-Vega also provided them with a cell phone, which they would use to converse back and forth with Fabian and if need be, contact their family members. MAT-WIT #2 stated that yesterday (02/23/2015), Marco Antonio YUDICO-Vega took them food and also took their photograph using a cell phone. On today's date (02/24/2015), MAT-WIT #2 was also given a sheet a paper by Marco Antonio YUDICO-Vega containing biographical information bearing the name Jose Eduardo ARCEO-Reyes. MAT-WIT #2 was instructed by Marco Antonio YUDICO-Vega to read and memorize all the information on the sheet.

MAT-WIT #2 also willingly and willfully provided a written statement.

Agents showed MAT-WIT#2 a photographic lineup of 6 male individuals and MAT-WIT #2 was able to identify Marco Antonio YUDICO-Vega's picture.

Disposition:

Assistant United States Attorney Daphne Newaz was apprised of the situation and approved prosecution on Marco Antonio YUDICO-Vega for 8 USC 1324 Conceal/Harbor For Profit.

Material Witnesses #1 and #2 were charged under Title 18 USC 3144, Material Witness.

I make this affidavit on the basis of my personal knowledge, as well as the basis of information furnished to me by other law enforcement officers.